

RECORD OF PROCEEDINGS
Minutes of Rossford City Council Meeting
Held January 11, 2009

The meeting was called to order by Mayor William Verbosky Jr. and was opened with the Pledge of Allegiance.

A moment of silence was observed in memory of Shirley Watrol, mother of clerk of council Robert Watrol who passed away in December.

ROLL CALL: Richards, Oberdorf, Eckel, Marquette, Hermes, Michaels, and Duricek all present.

APPROVAL OF MINUTES: Approval of regular council meeting minutes of December 14, 2009. Mr. Oberdorf moved and Mr. Duricek seconded the motion to approve the minutes. All ayes. Motion carried.

APPROVAL OF AGENDA: Agenda for regular council meeting of January 11, 2010 was presented to council. Committee reports from Public Works and Recreation were added to the agenda. Mr. Richards moved and Mr. Oberdorf seconded the motion to approve the agenda as amended. All ayes. Motion carried.

COMMITTEE REPORTS

Public Works committee reports from November 9th and 30th were presented by Mrs. Eckel (see written report). Mr. Marquette asked what traffic lights would be replaced on Buck Rd. and was told by Mr. Ciecka that the city had applied for a grant that would replace all the lights on Buck Rd. including the overpass with LED lights. Mr. Hermes questioned the sewer bill of \$54,000 saying the city never accepted responsibility for paying that bill. Mr. Ciecka said that is correct but a bill has been sent to us anyway. Mayor Verbosky said that hopefully this will be part of the discussions with Toledo and new mayor Bell as well as discussions with NWSD. Mr. Hermes said he has seen information that an unintended consequence with the LED lights is that snow does not melt due to lack of heat. Mr. Richards said that the state of Wisconsin which had made a great effort to change all of its state traffic signals to LED had three traffic deaths last week which were blamed on the LED lights being covered by snow and that we may want to take a go slow attitude on this until the problem is resolved.

Recreation committee report of December 19th was presented by Mr. Oberdorf (see written report). Mr. Hermes noted that back in 2005 or 2006 we had talked about the YMCA operating the recreation building and maybe we should consider talking to them about a joint operation.

Mr. Richards moved and Mr. Duricek seconded the motion to accept the committee reports as given. All ayes. Motion carried.

REPORT OF MAYOR AND/OR ADMINISTRATOR

Mayor Verbosky said the planning commission will meet at 7:00pm. Wednesday, January 13th at City Hall, informed council that ordinance #2010-02 is a result of four or five meetings of the planning commission discussing problems with developers finishing a projects landscaping, sidewalks, fencing etc. and looking for a way to enforce completion better. This is similar to other community's ordinances and is a way to collect money upfront as a guarantee. He also said the two resolutions for appointments are to replace Mr. Scott on the Port Authority and to replace Molly Jakubec on the tree commission.

Mr. Ciecka noted that the administration is busy with finishing up year end items and that the year end report should be ready in a few days. He said that the 2009 audit began today, that he had met with the Northern Wood County group to look at water issues, that the operator of the former 7-11 property is in the process of hiring contractors for the lease improvements and has no date yet for opening. He also told council that a new restaurant may be coming to the space vacated by Bad Bob's and that he needs to schedule Budget and Public Safety committee meetings. Mr. Hermes scheduled budget committee for 6:00 on January 25th and Mr. Richards scheduled public safety for 5:00 on the same day. Mr. Hermes asked who is leasing the previous 7-11 property and was told it will be a Stop & Shop.

CORRESPONDENCE

None

ORDINANCES**#2009-48 - AN ORDINANCE AUTHORIZING THE PAYMENT OF DISCHARGE FEES TO THE CITY OF TOLEDO FOR THE WALES ROAD LANDFILL; AND DECLARING AN EMERGENCY.**

Mr. Richards moved and Mr. Oberdorf seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka introduced Ryan Murphy and Bill Petruzzi of Hull & Assoc. to make a presentation on the status of the landfill facility (See written report). Mr. Petruzzi commented on the ordinance regarding payment for past discharges and blamed past miscommunication for this problem. He said the bills would have come directly to the city and he was given to understand by the previous administrator that the permit had been handled. Mayor Verbosky said that at the time the landfill was closed Rossford had been told by the EPA they could close immediately under the old rules or stay open and close later under new rules He said that several years ago council toured the landfill site and were told that as landfills go ours was of pretty good quality. Mr. Petruzzi agreed that a later closing would have cost more. This would have cost more. Mrs. Eckel asked if there will still be restrictions on the use of the landfill property even after the 30 year monitoring period ends. Mr. Petruzzi said that will depend on the EPA rules in place at the time and that the city may not be allowed to penetrate the cap or may be with certain engineering requirements. Mrs. Eckel also asked if it was common to pump leachate into a tank and then dump into the sanitary sewer system and was told yes unless the volume is sufficient to justify the expense of an automated system. Mr. Richards asked at what point the leachate quality improvement would improve enough to not require permitting. Mr. Petruzzi said that landfills are classified as industrial discharge and therefore are subject to needing a sanitary sewer permit but that moving forward as the leachate quality improves it may be possible to classify as regular sanitary discharge. Mr. Marquette wondered if Hull & Assoc. had an obligation to help Rossford manage the leachate and if it was part of their scope of work. Mr. Petruzzi said they are responsible for annual reporting and tracking volumes but that the city contracts with Toledo to dispose of the leachate. Mr. Marquette thinks that Hull & Assoc. should have made sure that the city had the proper permit before 2009. Mr. Petruzzi said he did not know what Rossford's agreement was with the City of Toledo and that he did advocate for the city in making sure no extra fees or penalties were assessed. He felt that in talking to the previous administrator over time his assumption was that the city had an agreement in place. Mr. Marquette said in his opinion Hull & Assoc. dropped the ball on this and did not look out for the city's interest. Mr. Petruzzi appreciates the concern but said he could go back in the record and see who he had talked to about making sure an agreement was in place. Mr. Oberdorf said the reality is that the city owes Toledo \$24, 673 at one time and that Hull & Assoc. should have been aware that we did not have the proper permit. Mr. Hermes questioned whether there was any advantage to planting trees such as willows to absorb some of the water. Mr. Petruzzi said the EPA is starting to look at allowing vegetation to be planted but that typically on solid waste sites they do not allow. Mr. Duricek noted that other companies had worked on the landfill prior to 2001 and Hull & Assoc. and that the management of the landfill has improved since they took over. Mayor Verbosky asked for audience questions for Hull & Assoc. at this time. Louis Bauer of 271 Margaret Place, Perrysburg questioned whether adding the railroad spur had any impact on the landfill. Mr. Petruzzi said that is the point where Hull & Assoc. became involved in working on the plan. He said there was no environmental impact due to the spur and that negotiations with the EPA did took place and once the proper paperwork was in place no additional work/cost was required. Jeff Appelhans, 177 Hannum Ave. asked how the EPA can allow the Pilkington site to be built on and yet require Rossford to monitor our landfill. Mr. Petruzzi said that Brownfield sites are treated differently and that the standards are not unified. Mr. Richards moved and Mr. Oberdorf seconded the motion to suspend with the third reading. Audience comments were requested and none received. Vote on the motion all ayes. Motion carried. Mr. Richards moved and Mr. Oberdorf seconded the motion to adopt. All ayes. Motion carried.

#2010 -01 - AN ORDINANCE AUTHORIZING AMENDING THE CONTRACT FOR THE 2009 ROADWAY IMPROVEMENT PROJECT WITH GEDDIS PAVING & EXCAVATING.; AND DECLARING AN EMERGENCY.

Mr. Oberdorf moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said this is the result of field changes made during the repaving of the cul-de-sac in the Bruns addition. Due to drainage concerns we needed to grind the entire cul-de-sac rather than just the curb areas. Mr. Richards moved and Mrs. Eckel seconded the motion to suspend with the second and third readings. Audience comments were requested and none received. Vote on the motion all ayes. Motion carried. Mr. Richards moved and Mr. Duricek seconded the motion to declare an emergency. All ayes except for Hermes and Eckel. Motion carried 5-2. Mr. Richards moved and Mr. Oberdorf seconded the motion to adopt. All ayes. Motion carried.

#2010-02 – AN ORDINANCE ENACTING ROSSFORD MUNICIPAL CODE SECTION 1111.08, PERFORMANCE GUARANTEE.

Mr. Oberdorf moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mayor Verbosky said it is up to council if wants to give this a first reading only. Mr. Marquette asked how this differs from a performance bond and Mr. Heban said it is similar but gives the city the option to require a 10% deposit or a performance bond. Mr. Richards moved and Mr. Oberdorf seconded the motion to suspend with the second and third readings. Audience comments were requested and none received. Vote on the motion all ayes. Motion carried. Mr. Richards moved and Mr. Oberdorf seconded the motion to adopt. All ayes. Motion carried.

#2010 – 03 - AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A CONTRACT FOR DISPATCHING SERVICES FOR POLICE, FIRE AND EMERGENCY MEDICAL SERVICES WITH LAKE TOWNSHIP, WOOD COUNTY, OHIO; AND DECLARING AN EMERGENCY.

Mr. Duricek moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mayor Verbosky said Mr. Ciecka had given council an extensive memo dated January 7th. Mr. Ciecka said we have been on a month to month basis the prior year and the township has offered us another year at the same price. He said he continues to meet on a regional basis and discuss with the Wood County Sheriff and that the Northern Wood County group is still discussing a regional dispatching center but at this time he is not able to recommend moving from our current dispatch service. Lake Township is asking for a contract to satisfy their auditor's requirements. Mr. Richards noted that the contract does allow us a 180 day notice period for getting out of the contract. Mr. Duricek sees no reason to not move forward with this. Mr. Duricek moved and Mr. Richards seconded the motion to suspend with the second and third readings. Audience comments were requested and none received. Vote on the motion all ayes. Motion carried. Mr. Duricek moved and Mr. Richards seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Duricek moved and Mr. Richards seconded the motion to adopt. All ayes. Motion carried.

RESOLUTIONS

#2010-01 – A RESOLUTION TO APPROVE THE MAYOR'S APPOINTMENT OF JOHN RUST JR., TO THE NORTHERN WOOD COUNTY PORT AUTHORITY; AND DECLARING AN EMERGENCY.

Mr. Oberdorf moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mr. Richards moved and Mrs. Eckel seconded the motion to suspend with the second and third readings. Audience comments were requested and none received. Vote on the motion all ayes. Motion carried. Mr. Scott moved and Mr. Duricek seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Scott moved and Mr. Duricek seconded the motion to adopt. All ayes. Motion carried.

#2010 -02 - A RESOLUTION TO APPROVE THE MAYOR'S APPOINTMENT OF JEANNE ZAJAC TO THE STREET TREE COMMISSION; AND DECLARING AN EMERGENCY.

Mr. Oberdorf moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mr. Oberdorf moved and Mr. Richards seconded the motion to suspend with the second and third readings. Audience comments were requested and none received. Vote on the motion all ayes. Motion carried. Mr. Oberdorf moved and Mr. Richards seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Oberdorf moved and Mr. Richards seconded the motion to adopt. All ayes. Motion carried.

COUNCIL REMARKS

Mrs. Eckel said she saw a moving van at Jerry's and wondered if anyone had an idea why. Mr. Ciecka said he has heard rumors that it is going to become a sandwich shop. Mrs. Eckel asked if we have had any problem with snow covering our LED's. Mr. Ciecka said he is not aware of but he will check with Mr. Jones.

Mr. Oberdorf offered his congratulations to Police Sgt. Kitzler on receiving his Masters degree.

Mr. Duricek informed council that the downtown coffee shop closed last week. He said that Toledo city council had passed a resolution at the end of 2009 which throws out the previous development agreement for the casino property site and the rough draft of the legislation for casinos is now available and it pretty much overrides local zoning regulations. Mayor Verbosky said he has had and will continue to have discussions with Mayor Bell and Penn National about the casino and its effect on Rossford.

Mr. Scott said that the Northern Wood County Port Authority received a \$300,000 grant for the Phase II cleanup of the former LOF E. Broadway site. They are also working with Northwood and Wood County on trying to obtain a \$1M grant for this type of work throughout the county. He also invited council to attend the RBA meeting on

January 27th where Wood County commissioner James Carter will discuss the revitalization of downtown Grand Rapids that took place while he was the mayor.

Mr. Hermes commented that the Bruns area looks really good are the completion of the repaving project.

AUDIENCE REMARKS

Louis Bauer, 271 Margaret Place; Perrysburg questioned whether Mayor Verbosky has had negotiations with Penn National and if he was close to a signed agreement. Mayor Verbosky said they have been discussions not negotiations in which he has brought Rossford's concerns to Penn about being adjacent to the site and he will continue to have discussions. Mr. Bauer asked if the city is endorsing legislation to be put on the ballot for casinos in the Crossroads and would not that be inconsistent with council endorsement of Penn National. Mayor Verbosky said he is not aware of any such endorsement. Mr. Bauer made several points regarding the prior development agreement such as public access to the river and asked if Rossford intends to follow up on that. Mayor Verbosky said he will continue to have discussion with Penn National and Toledo.

Bob Densic, 107 Birch Dr. thanked the community for their support of his Christmas lighting display and said that \$500 in donations had been received which would go to an outreach program at Cedar Creek Church for an AIDS orphanage in Honduras. Mayor Verbosky thanked Mr. Densic for his efforts.

Chris Nietrzeba, 151 Bacon St. asked if the small grocery store downtown had closed and was told yes.

Steve Spoon, 1235 Grassy Ct. said his neighborhood had some sewer backups and asked if the cause of the problem had been fixed. Mr. Ciecka said they were caused by a blockage in the sewer line on Lime City Rd. which has been cleared.

Mr. Richards moved and Mr. Oberdorf seconded the motion to go into executive session for the purpose of discussing police contract negotiations. All ayes. Motion carried.

Mr. Hermes moved and Mr. Oberdorf seconded the motion to return to regular session.

Mr. Richards moved and Mr. Oberdorf seconded the motion to adjourn. All ayes. Motion carried.

William Verbosky Jr.
Mayor

Robert P. Watrol
Clerk of Council